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July 7, 2009

Via electronic filing

Honorable Anne K. Quinlan, Esq.
Acting Secretary
Surface Transportation Board
395 East Street, SW
Washington, DC 20423

**Re: STB Docket No. AB-565 (Sub-No. 17X), *New York Central Lines, LLC*
*Abandonment Exemption – in Poughkeepsie, Dutchess County, NY***

Dear Acting Secretary Quinlan:

CSX Transportation, Inc. ("CSXT"), as successor by merger to New York Central Lines, LLC, agrees to the request to negotiate for interim trail use/rail banking as made in the letter, dated June 26, 2009¹ (and attached hereto as Exhibit A), from Fred W. Schaeffer, Chairman, on behalf of Walkway Over the Hudson (the "Walkway") for 0.5 miles of line, between milepost QCK-29.5 and QCK-30.0 in the city and town of Poughkeepsie, Dutchess County, New York in the above-entitled proceeding.

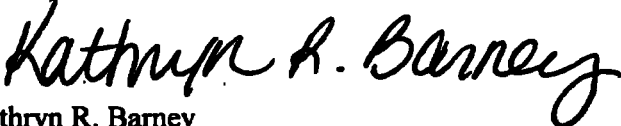
Previously, on July 22, 2004, Dutchess County (the "County") filed a Statement of Willingness to Assume Financial Responsibility for approximately 4.7 miles of railroad between milepost QCO-0.0 and milepost QCO-3.2 and between milepost QCK-29.5 and milepost QCK-31.0 in the city and town of Poughkeepsie, Dutchess County, New York (the "Line"). By letter dated July 23, 2004, CSXT agreed to negotiate for interim trail use/rail banking for the Line with the County. The current negotiating period for the Line is set to expire on September 19, 2009.

As Walkway's letter indicates, CSXT and the County have been unable to finalize an agreement for interim trail use/rail banking with the County, and Walkway desires to enter into negotiations with CSXT for a portion of the Line to facilitate the opening of a new park and trail, which abuts the western portion of the Line in early October. CSXT desires to keep all of its options open and agrees to enter into negotiations for interim trail use/rail banking for a portion of the Line with Walkway.

¹ CSXT received the letter on July 2, 2009.

CSXT is e-filing this letter. Thank you for your assistance and please do not hesitate to contact me if you have any questions regarding this matter.

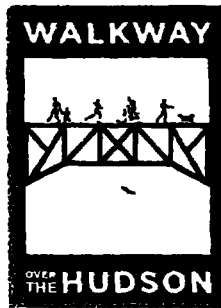
Sincerely,


Kathryn R. Barney

Enclosure

cc: Parties of Record
Fred W. Schaeffer

EXHIBIT A



SCA
RECEIVED JUL 02 2009

June 26, 2009

Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: STB Docket No. AB-565 (Sub-No. 17X)
New York Central Lines, LLC—Abandonment Exemption—in Dutchess County,
NY

Dear Secretary:

By decision and notice of interim trail use or abandonment (NITU) served on October 15, 2004 (October 2004 decision), the Board, under 49 U.S.C. 10502, exempted from the prior approval requirements of 49 U.S.C. 10903 the abandonment by New York Central Lines, LLC (NYC), of approximately 4.7 miles of railroad line between milepost QCO 0.0 and milepost QCO 3.2 and between milepost QCK 29.5 and milepost QCK 31.0 (the "Line"), in the City and Town of Poughkeepsie, Dutchess County, NY. In the October 2004 decision, a 180-day period was authorized to permit public use negotiations and to permit Dutchess County (the County) to negotiate an interim trail use/rail banking agreement with NYC for the Line. The negotiating period under the NITU was extended several times, with the latest decision, served on March 23, 2009 (March 2009 decision), extending the NITU negotiating period until September 19, 2009. The March 2009 decision also extended the deadline for CSXT, as successor by merger to NYC, to file a notice of consummation of the abandonment until November 18, 2009.

Poughkeepsie-Highland Bridge Co., Inc., d/b/a Walkway Over the Hudson, a 501(c)(3) non-profit New York corporation (Walkway) owns and controls the former rail corridor and former railroad bridge across the Hudson River, which abuts the western end of the Line. Walkway is in the process of transforming the bridge and its approaches into a linear park and trail with completion scheduled to occur in early October.

Walkway anticipates that CSXT and the County will be unable to consummate an agreement in time to accommodate Walkway's October opening. As such, Walkway

requests the issuance of an Interim Trail Use Condition, concurrent with the County's, over that portion of the Line between milepost QCK-29.5 and QCK-30.0. A map depicting the right-of-way is attached.


In order to establish interim trail use and railbanking under 16 U.S.C. §1247(d), and 49 CFR §1152.29, Walkway is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of, and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by and operated by CSX Transportation, Inc. The property extends from railroad milepost QCK-29.5 to railroad milepost QCK 30.0, both near Poughkeepsie, a distance of 0.5 miles in Dutchess County, NY. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB-565 (Sub-No. 17X).

Walkway acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon CSX Transportation, Inc., by U.S. Mail.

Walkway is filing an original and 10 copies of this letter. A check for the filing fee of \$250.00 is enclosed.

Respectfully submitted,


Fred W. Schaeffer
Chairman

THIS RAILROAD VALUATION MAP EXHIBIT GRAPHICALLY REPRESENTS A PROPOSED REAL ESTATE TRANSACTION. IT MAY NOT REFLECT CURRENT "ON THE GROUND" CONDITIONS AND/OR ACTUAL LOCATIONS OF FEATURES. ALL DIMENSIONS, OFFSET DISTANCES, AREA CALCULATIONS AND MEASUREMENT NOTATIONS, SHOWN ON THIS EXHIBIT ARE APPROXIMATE.

LOCATES FROM

QCK 30

LEGEND

EASEMENT AREA
5.05 +/- ACRES



0 200
FEET

4223066

36027 0014

0016

FOURKEEPS PA

EXHIBIT "A"

MILE POST QCK 30
ALBANY DIVISION
HUDSON SUBDIVISION

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CSX TRANSPORTATION, INC.
NY-027-102021
TEMPORARY CONSTRUCTION EASEMENT
DUTCHESS COUNTY, NY

DATE: 06-24-09
SCALE: 1"=200'
DRAWN BY: CLP
REVISED:

CITY: POUGHKEEPSIE

STATE: NY

FIPS: 36027

DWG #: 1020211

VAL. SECT.: GIS NUMBERS: PIN NUMBERS:

V8083 72364 36027-0011

MAP NO: 72363 36027-0016

38.39